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June 12, 2006,

Hon. Kenneth M. Karas
Judge, U.S. District Court
United States Courthouse
500 Pearl Street – Rm. 2260
New York, N.Y. 10007-1312

Re: *United States v. Albert Vilar* - 05 Cr. 0621

Dear Judge Karas:

Counsel for Mr. Vilar respectfully submits this letter in reply to the Government's June 12, 2006 response to our request for bail modification.

The Government's claim that our request appears disingenuous due to Mr. Vilar's apparent "lack of interest in pursuing professional therapy" is wholly without merit.

We did not address the issue of physical therapy with this Court because we did not need to. Mr. Vilar recently received the appropriate referral to begin physical therapy and he has already completed three in-home therapy sessions with a rehabilitation specialist, Ms. Betty Chow, from the Hospital for Special Surgery.¹ Because Ms. Chow is able to conduct the rehabilitation sessions at Mr. Vilar's home, there was no reason to request a bail modification to incorporate physical therapy.

Additionally, we believe that the Government's recommendation that Mr. Vilar walk from his home to our offices everyday, without flexibility to walk in any other direction, is unduly harsh and wholly unnecessary. In view of the sweltering heat that will soon descend on Manhattan, it is unreasonable to insist that Mr. Vilar only be permitted to walk to and from midtown Manhattan, despite the fact that he lives a few blocks from the East River promenade, an area vastly more suitable for an hour and a half walk in the summer months by a 64 year old man rehabilitating from two serious spinal surgeries.

¹ Shingpui Betty Chow, MA, OCS, PT, Rehabilitation Department, Hospital for Special Surgery 535 E 70th St, New York, NY 1002, Tel. #: 212-606-1005.

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It is important to note that Mr. Vilar has been under house arrest for more than one year and during that time he has readily complied with all bail restrictions imposed. In an email we received from Mr. Vilar's pre-trial supervisor on Thursday, June 8, 2006, Mr. Barrios notes that "in general he [Mr. Vilar] has been compliant with the conditions of bail and his excellent adjustment cannot go unnoticed." Mr. Vilar's conduct demonstrates that he respects, and will continue to respect, whatever bail conditions the Court imposes.

Thank you for your courtesy and consideration.

Very truly yours,


JEFFREY C. HOFFMAN

CC: AUSA Marc Litt
PO Leo Barrios